US Army Corps
of Engineers
Portland District

PUBLIC NOTICE
for PERMIT APPLICATION

Issue Date: March 23, 2004
Expiration Date: April 22, 2004
Corps of Engineers Action ID: 200400136

30 Day Notice

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GP (Tina J. Teed)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Steve and Helena Vincent

Location: Beaver Creek, approximately 0.5 mile upstream of Bellfountain Road, Section 7, Township 13 South, Range 5 West, Benton County, Oregon.

Project Description: To create a fish ramp, approximately 379 cubic yards of rock, gravel, and clay will be discharged in Beaver Creek adjacent to the downstream side of an existing concrete irrigation dam. The fish ramp will be approximately 40 feet wide by 50 feet long and have a slope of 20:1(horizontal: vertical). Four plastic lumber baffles will be installed on the dam directly upstream of the fish ramp to concentrate water during low flow.

A by-pass channel will be created from uplands and will be approximately 160 feet long with 2:1 side slopes after excavation is complete. The by-pass channel inlet will be created by opening a section of the streambank approximately 60 feet upstream from the concrete dam. The trapezoid-shaped inlet opening will be stabilized with alternating layers of clay and rock 15 feet wide by 1.5 feet thick. The length of the by-pass channel will be lined with 3 -10 inch diameter river run rock embedded in clay, compacted to 95% minimum density with no voids, and topped with a 3-inch layer of 0-3 inch diameter river run rock. The overall slope of the by-pass channel will be 2.5% with a 96-foot inlet elevation and a 92-foot outlet elevation. To allow vehicle access to the concrete dam, a

30-foot long, 6-foot diameter metal culvert lined with 0-3 inch river run rock will be installed in approximately the middle of the by-pass channel.

The work site will be temporarily dewatered during installation of the fish ramp and by-pass channel inlet. During construction of the fish ramp, a temporary sandbag dam with plastic sheeting will be installed on the existing concrete dam. Flow will be pumped through a 12-inch diameter pipe with a fish screen covering the pipe's intake. Pumped water will be discharged into a temporary, 2-cell haybale and geotextile settling pond and filter basin located downstream of the fish ramp construction area. A qualified fish biologist will be on-site to relocate stranded fish. During construction of the by-pass channel inlet, a temporary in-stream sediment barrier consisting of geotextile fabric backed with wire mesh will be secured with stakes and sealed at the base with a weighted sleeve.

To narrow the channel of Beaver Creek and increase water depth, the eroded streambanks adjacent to the outfall of the concrete dam will be filled with approximately 81 cubic yards of fill material and the banks sloped to 3:1 (horizontal: vertical).

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: The existing concrete irrigation dam on Beaver Creek is a fish passage barrier during low flow periods and when the dam boards are installed for irrigation. The by-pass channel and fish ramp will provide fish passage.

Drawing(s): 7 (labeled COE 200400136)

Additional Information: Additional information may be obtained from Tina J. Teed, Project Manager, U.S. Army Corps of Engineers at (503) 808-4384.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period

specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

Oregon Department of Environmental Quality
Water Quality 401 Certification

Corps of Engineers Action ID Number: 200400136
Oregon Division of State Lands Number:

Notice Issued: March 23, 2004
Written Comments Due: April 22, 2004

WHO IS THE APPLICANT: Steve and Helena Vincent

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator at (503) 229-5845.

PUBLIC PARTICIPATION:
Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

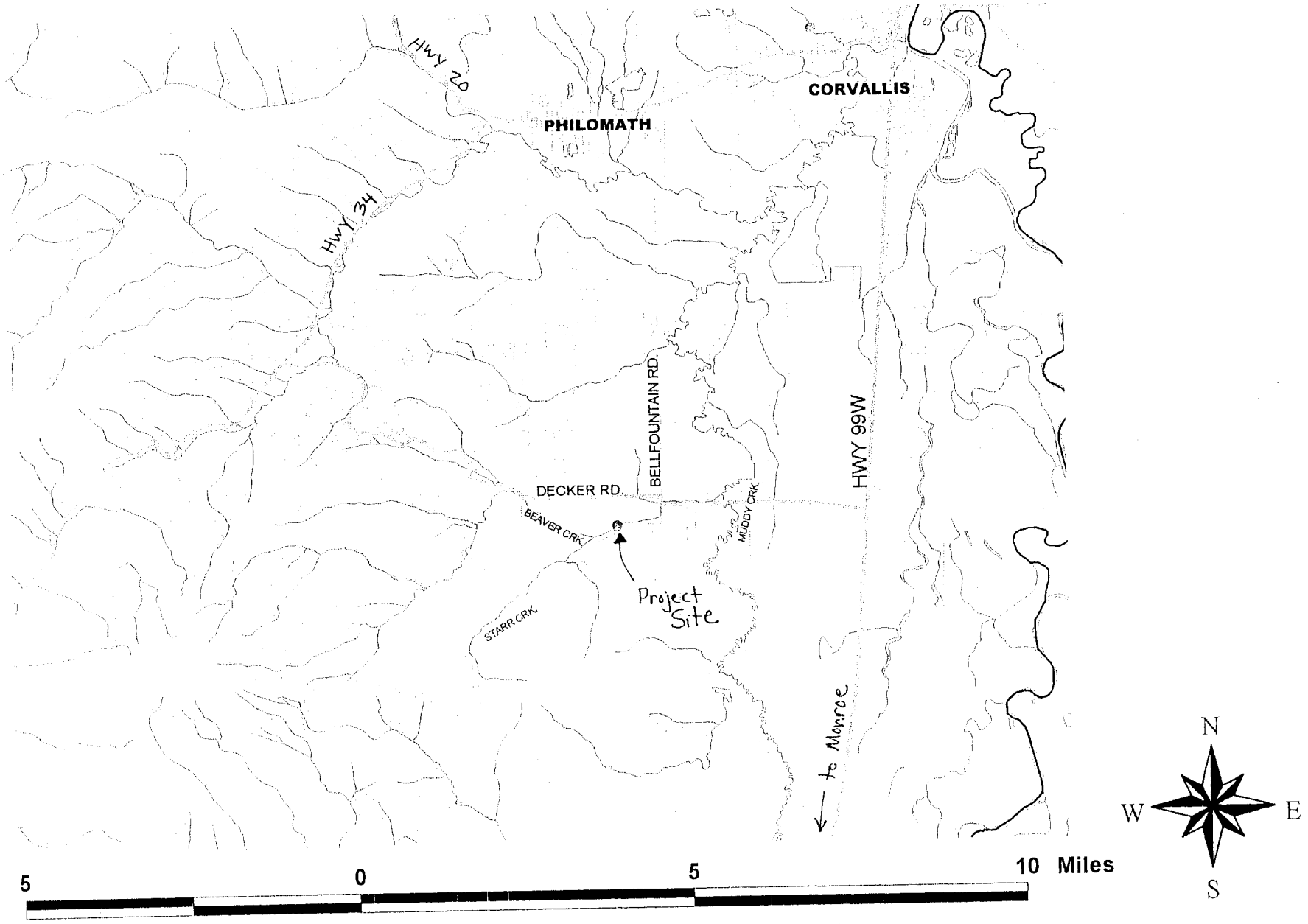
Written comments:
Written comments on the proposed certification must be received at the Oregon

Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to melville.tom@deq.state.or.us. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Office of Communications and Outreach at (503) 229-5317 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

BEAVER CREEK IRRIGATION DAM - LOCATION MAP

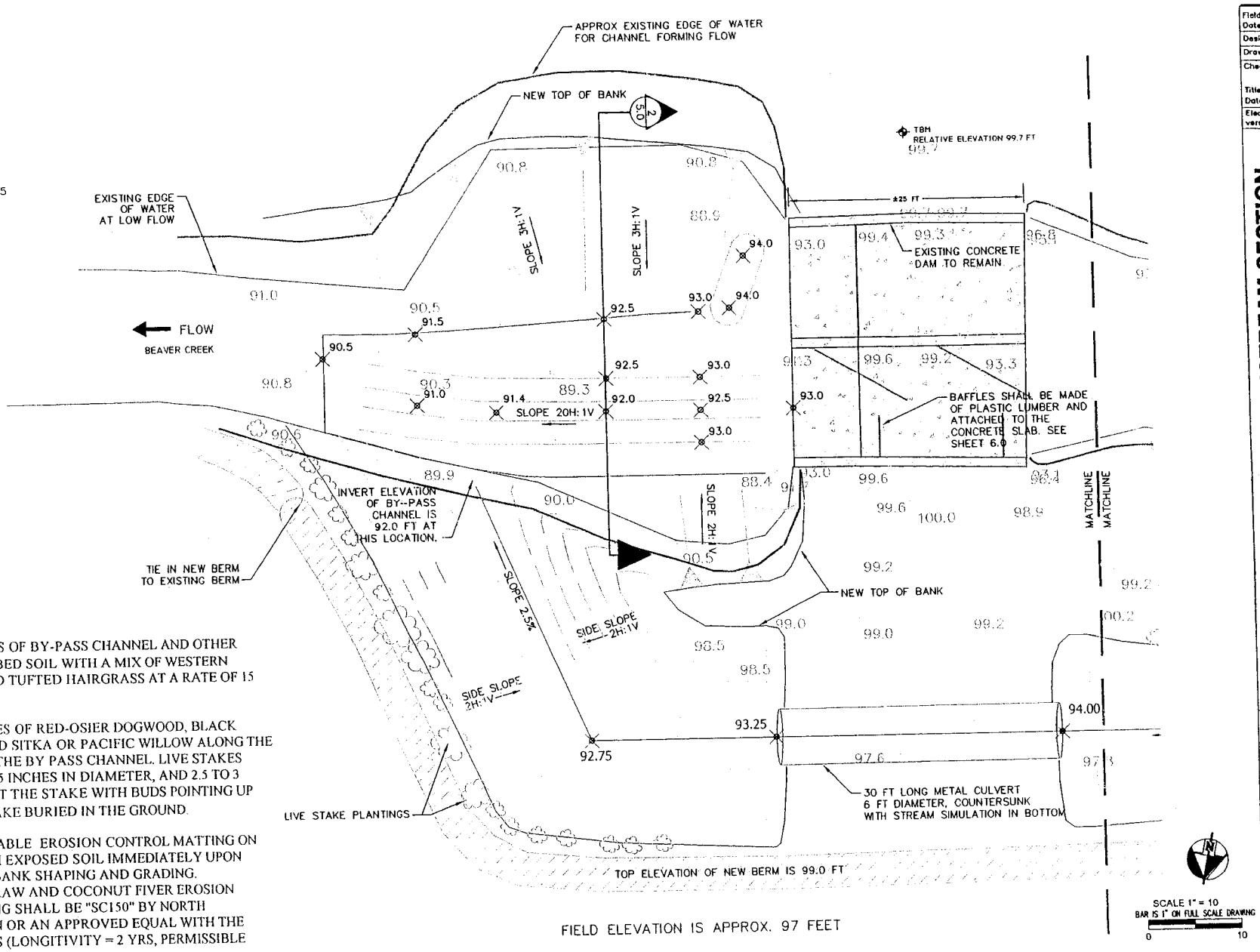


COE 200400136

REGISTERED PROFESSIONAL ENGINEER
67,086PE
Kelly V Albers
OREGON
JANUARY 15, 2002
KELLY V. ALBERS

IRATION DATE: 12/31/2005

COE 200400136



NOTES:

SEED UPPER BANKS OF BY-PASS CHANNEL AND OTHER AREAS OF DISTURBED SOIL WITH A MIX OF WESTERN MANNAGRASS AND TUFTED HAIRGRASS AT A RATE OF 15 LBS PER ACRE.

PLANT LIVE STAKES OF RED-OSIER DOGWOOD, BLACK COTTONWOOD AND SITKA OR PACIFIC WILLOW ALONG THE UPPER BANKS OF THE BY PASS CHANNEL. LIVE STAKES SHALL BE 0.5 TO 2.5 INCHES IN DIAMETER, AND 2.5 TO 3 FEET LONG. PLANT THE STAKE WITH BUDS POINTING UP AND ⅔ OF THE STAKE BURIED IN THE GROUND.

INSTALL DEGRADABLE EROSION CONTROL MATTING ON ALL SLOPES WITH EXPOSED SOIL IMMEDIATELY UPON COMPLETION OF BANK SHAPING AND GRADING. DEGRADAGLE STRAW AND COCONUT FIVER EROSION CONTROL MATTING SHALL BE "SC150" BY NORTH AMERICAN GREEN OR AN APPROVED EQUAL WITH THE SAME PROPERTIES (LONGITIVITY = 2 YRS, PERMISSIBLE SHEAR = 2.0 PSF).

Fieldwork:	KA/JK
Date:	07/07/03
Design:	Albers
Drawn:	Albers
Checked By:	C.R. Knoll
Title:	
Date:	2/17/04
Electronic File Name:	version5.dwg

FISHWAY PLAN - DOWNSTREAM SECTION

BEAVER CREEK IRRIGATION DAM FISHWAY

WRI Technical Assistance Program
BEAVER CREEK, BENTON COUNTY, OREGON

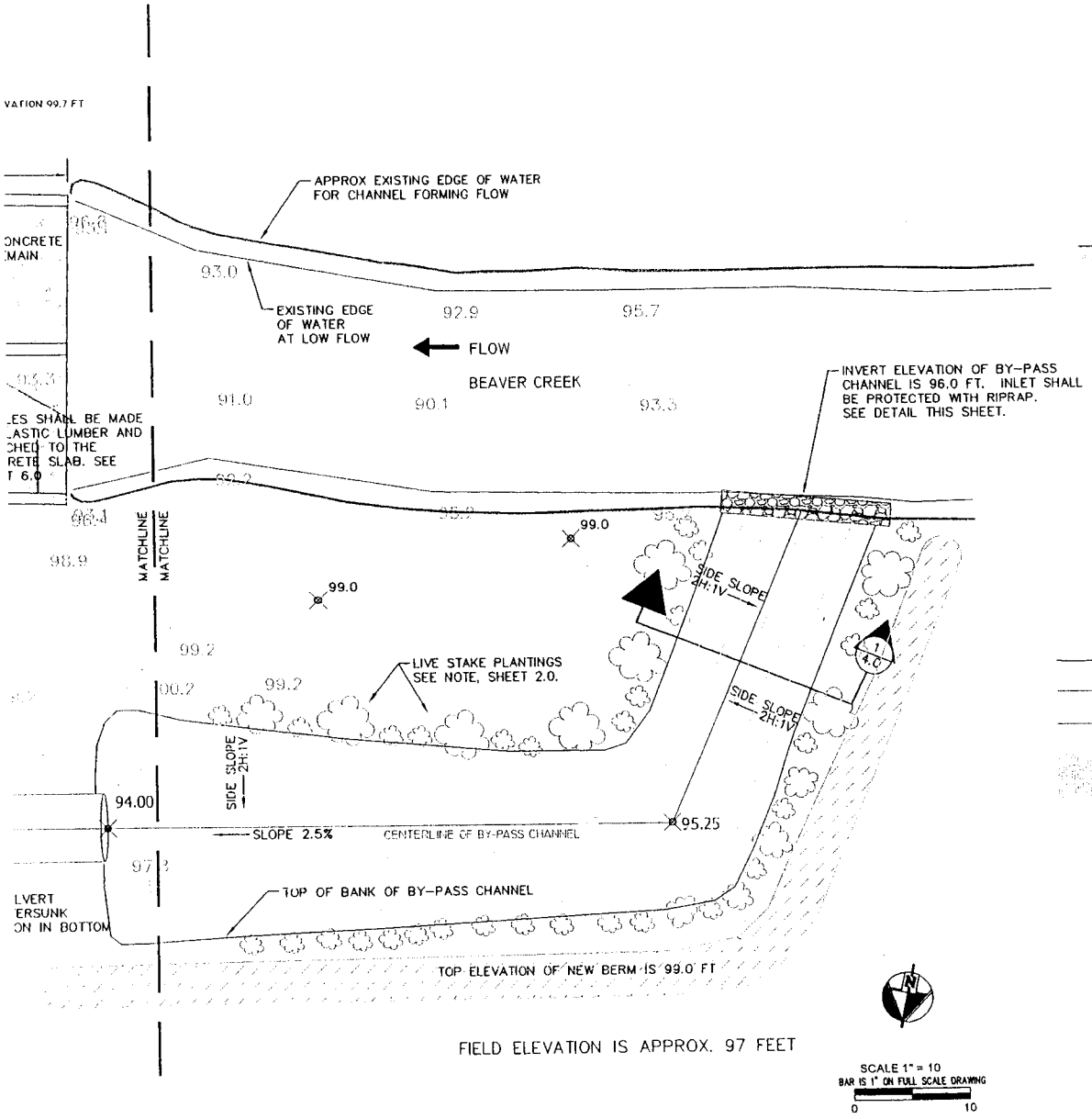
DESIGNED BY: WRI Willamette Restoration Initiative

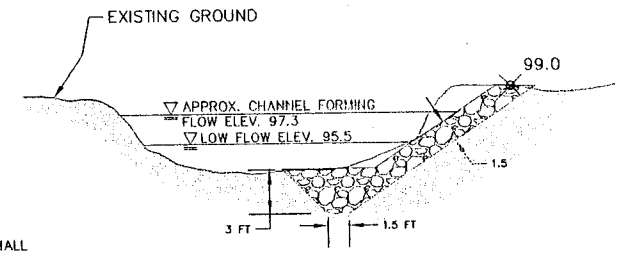
REVISION	DATE
FINAL	02/23/04

DRAWING NUMBER **2.0**

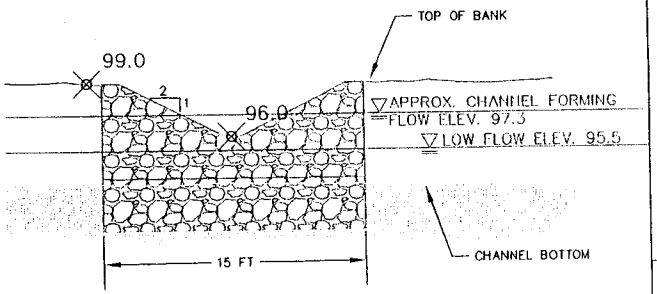
Drawing 2 of 6

COE 200400136





X-SEC VIEW OF BY-PASS CHANNEL INLET PROTECTION
N.T.S.



FRONT VIEW OF BY-PASS CHANNEL INLET PROTECTION
N.T.S.

REGISTERED PROFESSIONAL ENGINEER
67,086PE
OREGON
JANUARY 15, 2002
KELLY V. ALBERS

EXPIRATION DATE: 12/31/2005

Fieldwork: KA/JK
Date: 07/07/03
Design: Albers
Drawn: Albers
Checked By: C.R. Knoll
Title:
Date: 2/17/04
Electronic File Name: version5.dwg

FISHWAY PLAN - UPSTREAM SECTION

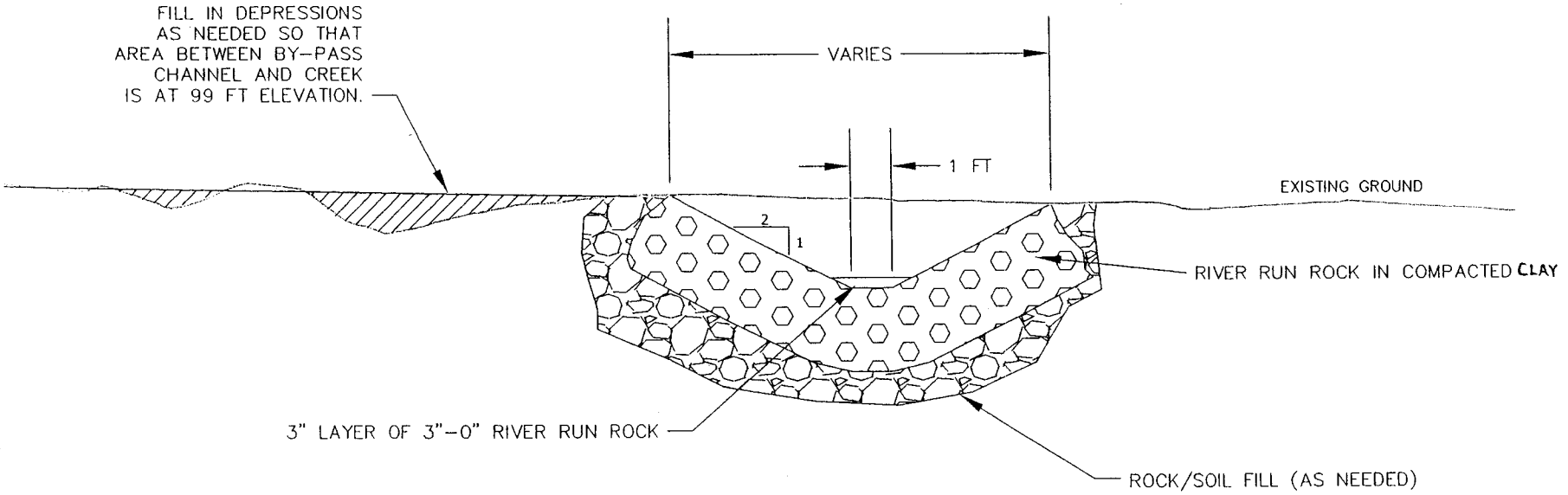
BEAVER CREEK IRRIGATION DAM FISHWAY

WRI Technical Assistance Program
BEAVER CREEK, BENTON COUNTY, OREGON

DESIGNED BY: WRI

REVISION	DATE
FINAL	02/02/04

DRAWING NUMBER
3.0
Drawing 3 of 6



BY-PASS CHANNEL - 2 FT THICKNESS
1) RIVER RUN ROCK (3" TO 10" DIAMETER) EMBEDDED IN CLAY.
2) PLACE IN 6 INCH LAYERS OF CLAY FOLLOWED BY A 10 INCH LAYER OF ROCK AND COMPACT TO 95% MINIMUM DENSITY WITH NO VOIDS.
3) THE FINAL LAYER OF ROCK WILL BE EXPOSED TO THE SURFACE TO SIMULATE STREAMBED CONDITIONS.

ROCK/SOIL FILL - VARIABLE THICKNESS
1) FILL EXISTING DEPRESSIONS IN THE BY-PASS CHANNEL AREA TO WITHIN 2 FT OF FINISH GRADE OF CHANNEL.
2) ROCK (3" TO 8" DIAMETER) TO BE PLACED IN A 6" TO 8" LIFT FOLLOWED BY A 6" LIFT OF SOIL. COMBINED LAYERS ARE TO BE COMPACTED TO 90 % MINIMUM DENSITY WITH NO VOIDS.

① BY-PASS CHANNEL TYPICAL SECTION
N.T.S.

REGISTERED PROFESSIONAL ENGINEER
67,086PE
OREGON
JANUARY 15, 2002
KELLY V. ALBERS

EXPIRATION DATE: 12/31/2005

Fieldwork: KA/JK
Date: 07/07/03
Design: Albers
Drawn: Albers
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BY-PASS CHANNEL DETAIL
BEAVER CREEK IRRIGATION DAM FISHWAY
WRI Technical Assistance Program
BEAVER CREEK, BENTON COUNTY, OREGON

DESIGNED BY: WRI Willamette Restoration Initiative

REVISION DATE
FINAL 02/23/04

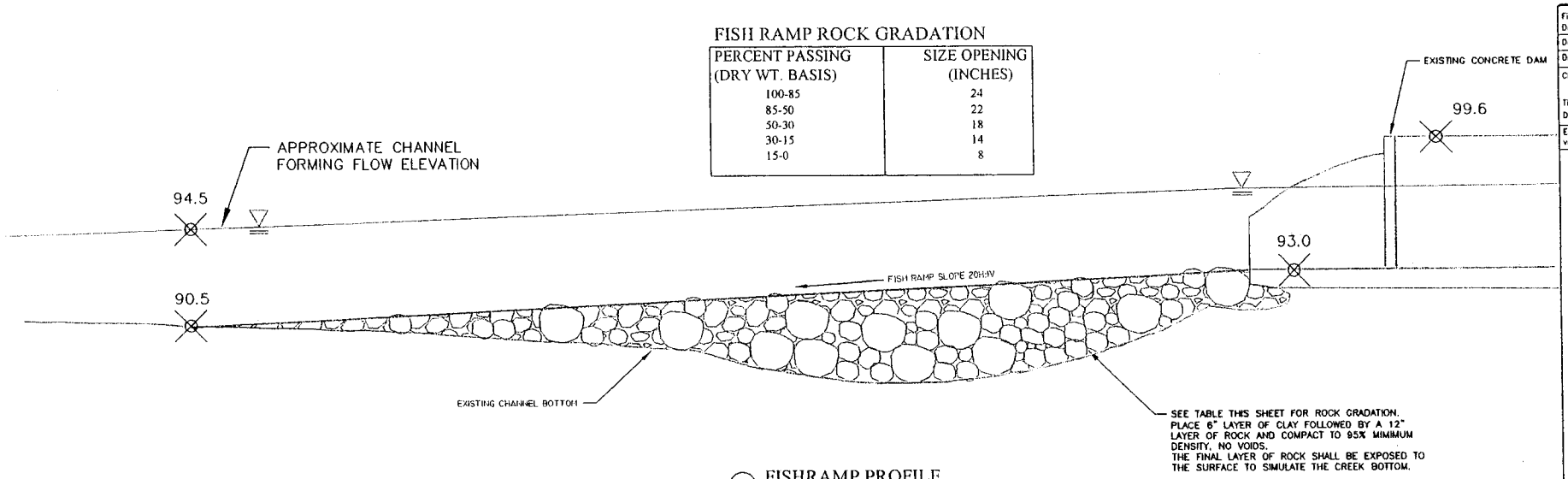
DRAWING NUMBER
4.0
Drawing 4 of 6

COE 200400136

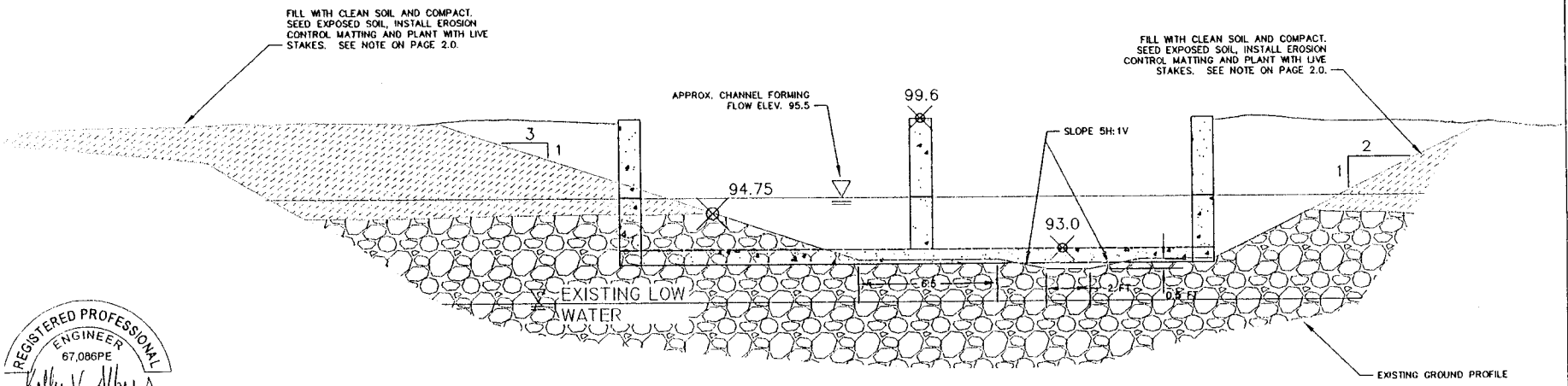
COE 200400136

FISH RAMP ROCK GRADATION

PERCENT PASSING (DRY WT. BASIS)	SIZE OPENING (INCHES)
100-85	24
85-50	22
50-30	18
30-15	14
15-0	8



① FISHRAMP PROFILE
1" = 5'



② CROSS SECTION OF FISHRAMP
1" = 5'

SCALE 1" = 5
BAR IS 1" ON FULL SCALE DRAWING
0 5

REGISTERED PROFESSIONAL ENGINEER
67,086PE
Kelly V. Albers
OREGON
JANUARY 15, 2002
KELLY V. ALBERS

(PIRATION DATE: 12/31/2005

Fieldwork: KA/JK
Date: 07/07/03
Design: Albers
Drawn: Albers
Checked By: C.R. Knoll
Title:
Date: 2/17/04
Electronic File Name: version5.dwg

FISHRAMP DETAIL

BEAVER CREEK IRRIGATION DAM FISHWAY

WRI Technical Assistance Program
BEAVER CREEK, BENTON COUNTY, OREGON

DESIGNED BY: WRI Willamette Restoration Initiative

REVISION	DATE
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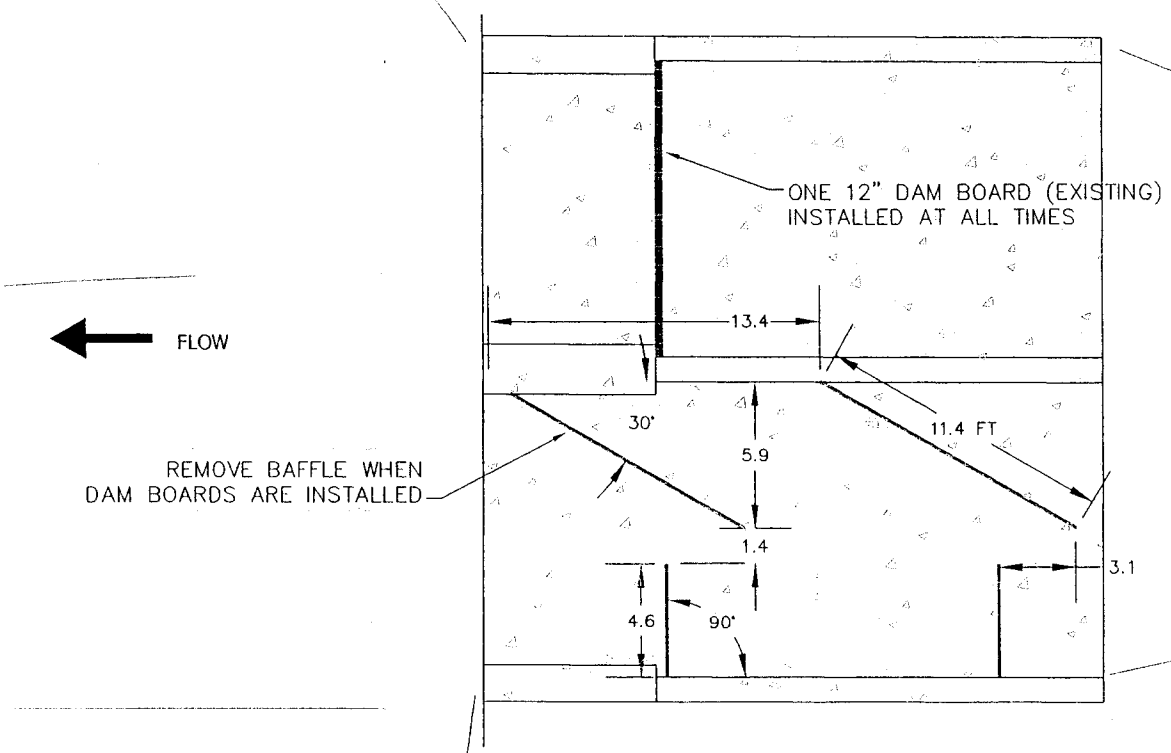
DRAWING NUMBER
5.0
Drawing 5 of 6

NOTE:

BAFFLES SHALL BE MADE OF PLASTIC LUMBER, 2X12 SIZE.

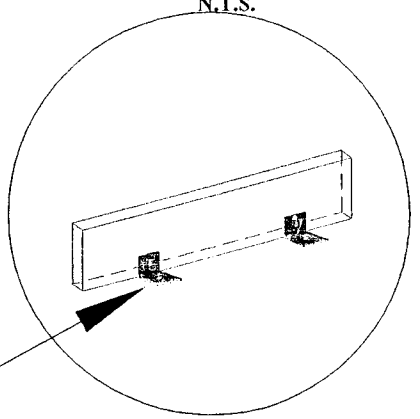
REGISTERED PROFESSIONAL ENGINEER
67,086PE
OREGON
JANUARY 15, 2002
KELLY V. ALBERS

EXPIRATION DATE: 12/31/2005



PLAN VIEW OF BAFFLES
1"=5'

BAFFLE INSTALLATION DETAIL
N.T.S.



USE STAINLESS STEEL 'L' BRACKETS, BOLTS, NUTS AND WASHERS. INSTALL 'L' BRACKETS ON DOWNSTREAM SIDE OF BAFFLE. TWO BRACKETS PER SHORT BAFFLE AND THREE BRACKETS PER LONG BAFFLE.

SCALE 1" = 5
BAR IS 1" ON FULL SCALE DRAWING
0 5

Fieldwork:	KA/JK
Date:	07/07/03
Design:	Albers
Drawn:	Albers
Checked By:	C.R. Knoll
Title:	
Date:	2/17/04
Electronic File Name:	version5.dwg

BAFFLE DETAIL

BEAVER CREEK IRRIGATION DAM FISHWAY

WRI Technical Assistance Program
BEAVER CREEK, BENTON COUNTY, OREGON

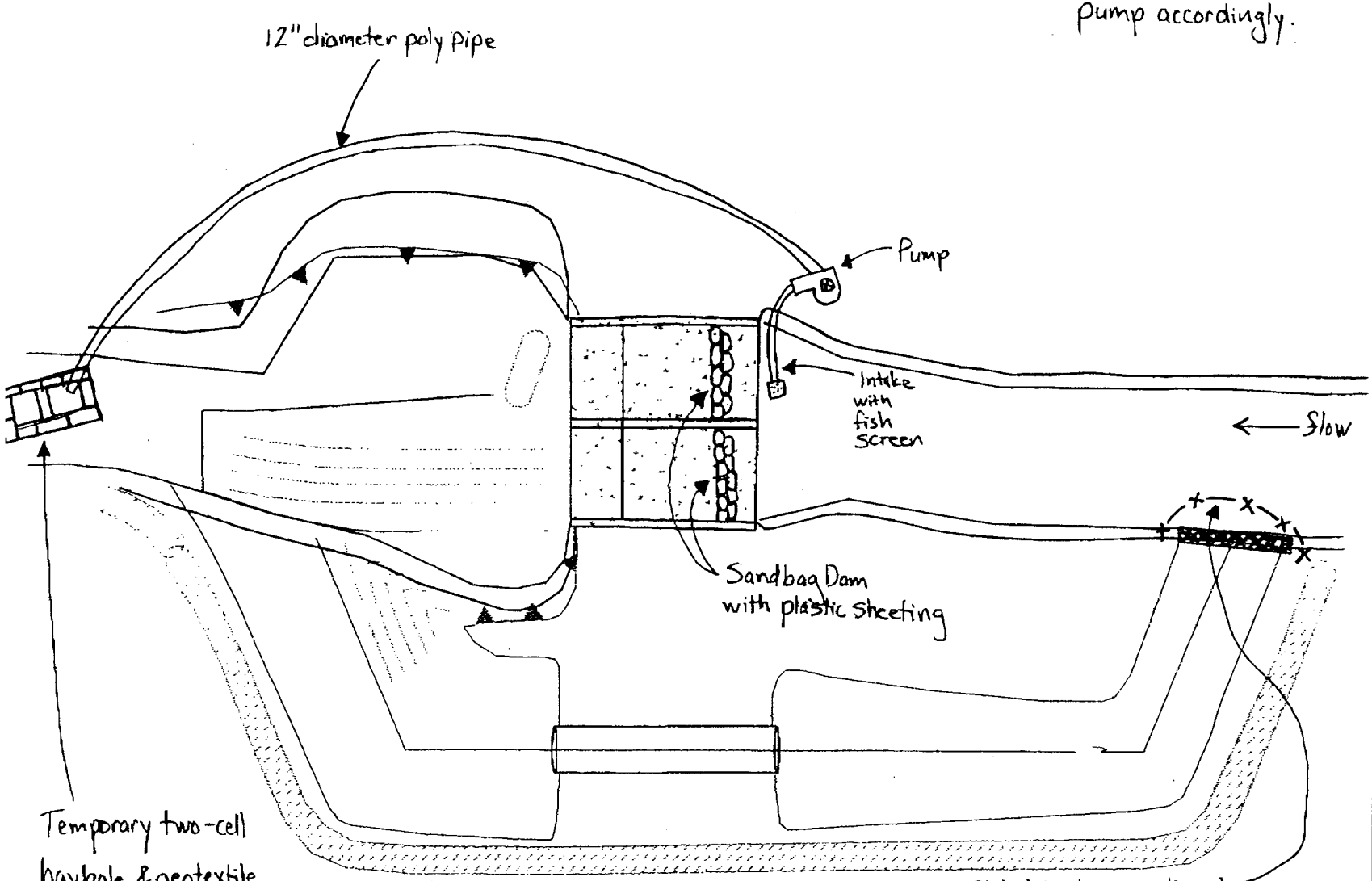
DESIGNED BY: WRI Willamette Restoration Initiative

REVISION	DATE
FINAL	02/23/04

DRAWING NUMBER
6.0
Drawing 6 of 6

COE 200400136

August Q95% = 1.68 cfs
August Q 10% = 10.5 cfs
Contractor shall size pump accordingly.



Fieldwork: KA/JK
Date: 07/07/03
Design: Albers
Drawn: Albers
Checked By:
Title:
Date:

DEWATERING PLAN
BEAVER CREEK IRRIGATION DAM FISHWAY
WRI Technical Assistance Program
BEAVER CREEK, BENTON COUNTY, OREGON

DESIGNED BY: WRI Willamette Restoration Initiative

REVISION DATE
FINAL 03/18/04

DRAWING NUMBER
DEWATER PLAN

Drawing X of

COE 200400136